



March 30, 2001

ENGROSSED SENATE BILL No. 138

DIGEST OF SB 138 (Updated March 28, 2001 4:41 PM - DI 105)

Citations Affected: IC 33-5.

Synopsis: Jurisdiction of Hendricks superior courts. Gives Hendricks superior court No. 2 and Hendricks superior court No. 3 jurisdiction over probate matters, guardianships, trusts, and similar matters. Allows Hendricks superior court No. 1 to have a small claims and misdemeanor division. Repeals a provision concerning the transfer of cases when one court does not have jurisdiction over a matter.

Effective: Upon passage.

Lawson C

(HOUSE SPONSORS — WHETSTONE, THOMPSON, BEHNING, DVORAK,
CROSBY)

January 8, 2001, read first time and referred to Committee on Judiciary.
February 22, 2001, reported favorably — Do Pass.
February 26, 2001, read second time, ordered engrossed. Engrossed.
February 27, 2001, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Rules and Legislative Procedures.

March 26, 2001, reassigned to Committee on Courts and Criminal Code.

March 29, 2001, reported — Do Pass.

C
o
p
y

ES 138—LS 6668/DI 51+



March 30, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 138

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-5-25-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The
3 Hendricks superior court No. 1 has original, exclusive jurisdiction in
4 all matters pertaining to the probate of wills; the appointment of
5 guardians, executors, administrators, personal representatives, and
6 trustees; and to the administration and settlement of estates of protected
7 persons (as defined in IC 29-3-1-13) and deceased persons; and of
8 trusts, adoptions, and surviving partnerships; and in all probate and
9 other matters provided for by IC 29; except its jurisdiction is not
10 exclusive to civil actions by or against personal representatives; but is
11 concurrent with the Hendricks circuit court, Hendricks superior court
12 No. 2; and Hendricks superior court No. 3.

13 (b) Except as provided in subsection (a); (a) Each superior court in
14 the county has original and concurrent jurisdiction with the circuit
15 court in all civil actions and proceedings at law and in equity, and
16 actions for dissolution or annulment of marriage, and in all criminal
17 cases and proceedings but ~~neither~~ **none of the** superior court has

ES 138—LS 6668/DI 51+



C
o
p
y

1 **courts have** the jurisdiction of a juvenile court.
 2 ~~(c)~~ **(b)** Each superior court in the county has original and concurrent
 3 jurisdiction with the circuit court in all appeals or reviews from boards
 4 of county commissioners or other executive or administrative agencies
 5 and all other appellate jurisdiction vested in the circuit court.
 6 SECTION 2. IC 33-5-25-18 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. ~~The Hendricks~~
 8 **Each** superior court ~~No. 2 and the Hendricks superior court No. 3~~ **each**
 9 ~~have~~ **has** a standard small claims and misdemeanor division.
 10 SECTION 3. IC 33-5-25-8 IS REPEALED [EFFECTIVE UPON
 11 PASSAGE].
 12 SECTION 4. **An emergency is declared for this act.**

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 138 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 138, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 10, nays 0.

C
o
p
y

ES 138—LS 6668/DI 51+

